

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Police Department– Representation of Sri S. Hanumantha Rao, Ex.PC 1748 of Karimnagar District, against the punishment of dismissal from service – Punishment set aside – Orders – Issued.

HOME (SERVICES-II) DEPARTMENT

G.O.Ms.No.74

Dated:25 -3 - 2011
Read the following:

1. Reprn. of Sri S. Hanumantha Rao, Ex.PC 1748 of Karimnagar District, dt. 4-2-2010.
2. Govt. Memo.No.12868/Ser-II/A1/2010, dated: 30-04-2010.
3. From the DGP, AP, Hyd. Lr.Rc.No.1568/Appeal-1/2010, Dated: 28-6-2010.

ORDER:

In the reference 1st read above, Sri S. Hanumantha Rao, Ex.PC 1748, Karimnagar District, has requested the Government to reinstate him into service and to treat the period spent out of employment as "on duty".

2. In the reference 3rd read above, the Director General of Police, A.P., Hyderabad, has reported that Sri S. Hanumantha Rao, Ex.PC 1748 of Karimnagar District was working at Kataram PS has taken loan of Rs.1,40,000/- from one Ch.Sagar S/o Srihari r/o Housing Board Colony, Karimnagar on 5-1-2005 and executing a promissory note. The petitioner has given a cheque No.684434 dated: 9-8-2005 on the name of Chindam Sagar. But the cheque bounced due to non-sufficient amount at the credit of the petitioner. Therefore, Ch. Sagar has filed a civil case vide CC.No.1400/2005 u/s 138 NI Act before the Hon'ble Addl.JFCM Court, Karimnagar. The Hon'ble Addl.JFCM of 1st Class, Karimnagar who tried the case has pronounced judgment on 18-6-2009 that the petitioner is found guilty of the offence u/s 138 of NI act and he is convicted u/s 255 (2) of Cr.P.C and sentenced to under go simple imprisonment for a period of one year and also to pay Rs.5,000/- in default to suffer simple imprisonment for a period of month for the said offence. As per the judgment dated: 18-6-2009 of Hon'ble Addl.JFCM of 1st Class, Karimnagar, the SP, Karimnagar District has imposed the punishment of dismissal from service, in their Proceedings No.29/PR/OE.2009, dated: 4-7-2009. The individual's appeal and revision petitions were considered and rejected by the concerned appellate authorities. Aggrieved by the above orders, the said individual has submitted a mercy petition to the Government. The individual has exhausted all channels of remedies provided in APCS (CC&A) Rules 1991.

3. Further, the Director General of Police, AP, Hyderabad, has stated that the Ex PC 1478, S.Hanumantha Rao, of Karimnagar District, consequent on his conviction for the offence of 138 of NI Act has preferred an appeal before the Principal District Sessions Judge at Karimnagar in appeal No.68/2009. In turn the Judge referred the case to the District Lok Adalath for disposal. The accused and complainant compromised during the Lok Adalath vide judgment 30-7-2009. The fine amount of Rs. 5000/- paid by the accused was returned to him vide DDNo.788617, dt.29-1-2010.

4. After careful examination of the entire matter, with the records made available, Government hereby set aside the penalty of Dismissal from service duly reinstating Sri S. Hanumantha Rao, Ex.PC 1748 of Karimnagar District, into the service with immediate effect, since the civil case has been settled in Lok-Adalat and since the sentence & conviction stands cancelled. The out of employment period is treated as "Not on Duty".

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5. The original O.E. records, received in the reference 3rd read above, are herewith returned to the Director General of Police, A.P., Hyderabad, and he is requested to acknowledge the receipt of the same to Government.

6. The Director General of Police, A.P., Hyderabad, is requested to take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Hyderabad (with records)
The individual concerned through D.G.P., AP., Hyderabad
Copy to:
The Accountant General of Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The Superintendent of Police, Karimnagar District
SF/SC

// FORWARDED:: BY ORDER //

SECTION OFFICER